

IFU

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of:  
PODREBARAC ET AL

Serial No.: 10/820,399

Filed: 04/07/2004

§ Atty File: CDT 1788 CON

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§

§ Group Art Unit: 1764

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§ Examiner: T. M. NGUYEN

For: PROCESS FOR THE SELECTIVE DESULFURIZATION OF  
A MID RANGE GASOLINE CUT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

- ☒ Revised Brief On Appeal in response to examiner's Notification of Non-Compliant Appeal Brief (copy attached) mailed 12/14/2006.
- ☒ No fees are due.
- ☒ A petition for an extension of one month and fee is enclosed.

Respectfully submitted,

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Date: 02/12/2007

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

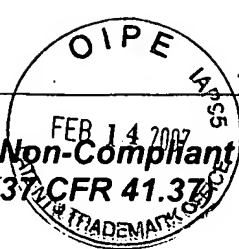
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on 02/12/2007

  
Kenneth H. Johnson

**Notification of Non-Compliant Appeal Brief**

(37 CFR 41.37)



Application No.

10/820,399

Applicant(s)

PODREBARAC ET AL.

Examiner

Tam M. Nguyen

Art Unit

1764

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 2/3/06 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.

**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The content under the heading "SUMMARY OF THE CLAIMED SUBJECT MATTER" contained in the Appeal Brief received at the USPTO on February 3, 2006 does not provide a sufficient summary of independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in separately under provision of paragraph (c) (1) (vii) of this section. [See 37 CFR 41.37(c) (1) (v).]

Tam M. Nguyen  
Examiner  
Art Unit: 1764